C.F.1052

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 2481 /2003

PETITIONER : J.L.Bhaskar, S/o Mangia Ram, aged 50 years, Occupation-Service presently working as Hand Pump Technician in Public Health Engineering Subdivision at Kanker, R/o Village-Narharpur, Tahsil Narharpur, District Kanker (C.G.)

-VERSUS-

RESPONDENTS :

1. State of Chhattisgarh through Secretary, Department of Public Health Engineering, Mantralaya, D.K.S.Bhavan, Raipur (C.G.)
2. Engineer-in-Chief, Public Health Engineering Department, Raipur.
3. Superintending Engineer, Public Health Engineering Department, Jagdalpur (C.G.)
4. Executive Engineer, Public Health Engineering, North Bastar, Kanker (C.G.)
5. T.R.Sori, Hand Pump Technician, Public Health Engineering Subdivision, Kondagaon, District Jagdalpur.

P. R. No. 2317/03
Presented by Shri Inderlal Sahu
dated 11/8/2003

RECEIVED COPY.
11/8/03
CLERK TO BILASPUR

WRIT UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDERS OR DIRECTION.

(22) (23)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 2481/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	18-8-2003 Shri Rajeev Shrivastava, counsel for the petitioner. Shri Pravin Das, P.L. for the respondent Nos. 1 to 4. By this petition filed under Article 226/227 of the Constitution of India, the petitioner has challenged the order dated 30-6-2003 passed by the respondent No.1 State of Chhattisgarh by which the petitioner has been transferred from Public Health Engineering Division, Kanker to Public Health Engineering Sub Division Kondagaon, Jagdalpur. The petitioner's grievance is that this transfer has been made saying that the transferred employee will bear the expense. This goes to show that this transfer has been made on the request of the petitioner, whereas the petitioner had not made any request for his transfer. The learned counsel for the petitioner submits that the petitioner is working as hand pump technician and their seniority list is maintained district wise and by this order he has been transferred out of the district to another district i.e. Jagdalpur which will effect his seniority also. Counsel further submits that on 7-7-2003 the petitioner submitted a representation against this transfer through proper channel to the Executive Engineer who forwarded the same	

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

to the Superintendent Engineer and that representation has not decided so far.

Mr. Das P.L. appears for the respondents 1 to 4.

Having heard the learned counsel for the parties and having regard to the fact that the transfer order has been issued showing that the same is being issued on the request of the petitioner and other person namely, D.R. Sori, whereas the allegation of the petitioner is that he never gave his consent and never wanted his transfer. Moreover, his grievance is that his seniority will be effected because seniority of the hand pump technicians is district-wise and more particularly the petitioner has already made representation and that representation has not been decided, it is, therefore, directed that the Secretary, Department of Public Health Engineering, Mantralaya, D.K.S. Bhawan Raipur shall consider and decide the representation of the petitioner in objective manner.

The petitioner is also allowed to make another representation to the Secretary directly within a period of 10 days raising all these grounds which are raised in this petition and the Secretary will decide the representation in an objective manner and pass the appropriate order within a period of one month from the date of receipt of the representation. Till then the transfer of the petitioner is stayed.

(24) (25)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -3-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	The writ petition is disposed of accordingly. Consequently, M.(W.)P. No. 2271/2003 and I.A. No. 7519/2003 also stand disposed of. Sd/- L.C. Bhadoo Judge	

[पीछे देखिये